

# FISCAL NOTE

## HB 2701 - SB 2762

February 27, 2004

**SUMMARY OF BILL:** Deletes provision authorizing a judge to sentence a person convicted of DUI for the first time to perform 200 hours of public service work in lieu of the minimum period of confinement in counties with a metropolitan government and a population in excess of 100,000 according to the 1990 or any subsequent federal census (Davidson).

### ESTIMATED FISCAL IMPACT:

#### **Increase Local Govt. Expenditures - Less than \$25,000 \***

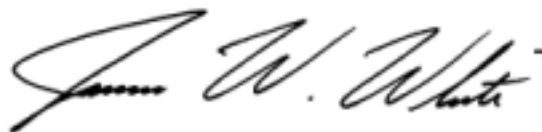
Estimate assumes:

- first time DUI offenders who could have been sentenced to perform public service work in the absence of the bill will be required to serve the minimum period of incarceration resulting in an increase in expenditures to the affected local government for incarceration costs.
- approximately 1,070 DUI convictions in Davidson County in 2003.
- fewer than 25% of all those convicted of a DUI currently do community service in lieu of mandatory 48 hours of incarceration.
- daily incarceration cost of \$43.

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

### CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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